



FILED & JUDGMENT ENTERED
Steven T. Salata

October 13 2017

Clerk, U.S. Bankruptcy Court
Western District of North Carolina

Laura T Beyer

Laura T. Beyer
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

In re:

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CHRISTOPHER DEE COTTON ALLISON HEDRICK COTTON

§ Case No. 14-30287
§ Chapter 13

Debtors

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**CHRISTOPHER DEE COTTON
and
ALLISON HEDRICK COTTON,
on behalf of themselves and all
others similarly-situated,**

§ ADVERSARY NO. 17-03056

Plaintiffs,

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V.

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**WELLS FARGO & CO. and
WELLS FARGO BANK, N.A.**

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Defendants.

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CONSENT ORDER REGARDING MEDIATED SETTLEMENT SCHEDULE

The Parties, having agreed that it is desirable to pursue good faith class settlement negotiations in this case, hereby present their joint proposed schedule for mediated settlement discussions. The Parties agree to the following mediation schedule:

October 9, 2017	Parties have agreed on Christopher Nolland as the mediator.
October 11, 2017	Status conference on proposed schedule for mediation.
October 13, 2017	Date set for continued hearing for ruling on Plaintiffs' motion for preliminary injunction. Should be cancelled due to Parties' agreement of a mediated settlement schedule.
October 13, 2017	Deadline for Plaintiffs' request for information from Defendants for purpose of efforts to negotiate nationwide class settlement. This is without prejudice to Plaintiffs seeking additional information after this date as needed to facilitate the settlement efforts, including during the mediation process.
October 18, 2017	Conference among the parties to discuss Plaintiffs' initial information request and Defendants' position in response.
November 3, 2017	Subject to the October 18 discussion (and potential follow-on discussions) and potential scope and relevance objections, Defendants will produce information responsive to Plaintiff's October 13 requests for information. The Parties will work in good faith to resolve any scope or relevance objections. If necessary, the Parties will engage Mr. Nolland to resolve any such disputes.
Nov. 4–Dec. 10, 2017	Evaluation of information and begin settlement talks, if appropriate. Parties contemplate that they each will meet or confer separately with the mediator to educate him about the case, including the contested issues.
Dec. 11, 13, 2017	Mediation in a location to be agreed by Parties. The Parties contemplate that this particular mediation session will be held in Dallas.
December 18, 2017	Report to Court regarding the results of mediation and including proposal for a schedule for follow-on actions depending on whether case is settled.

December 20, 2017	If settlement not reached and Parties do not wish to continue with mediated settlement discussions, Defendants' answer to Plaintiffs' first amended complaint is due.
January 18, 2018	Continued hearing on ruling on Plaintiffs' motion for preliminary injunction. Court's choice of hearing date (may be in January 2018). Consent Order entered at Docket No. 58 to stay in effect until hearing date for ruling on Plaintiffs' motion for preliminary injunction.
January 22, 2018	Additional mediation, if needed.
January 26, 2018	(If needed) send report to Court regarding the results of mediation and including a proposal for a schedule for follow-on actions depending on whether case is settled.
January 29, 2018	If settlement not reached and Parties do not wish to continue with mediated settlement discussions, Defendants' answer to Plaintiffs' first amended complaint is due.
February 23, 2018	Continued hearing on ruling on Plaintiffs' motion for preliminary injunction. Court's choice of hearing date. Consent Order entered at Docket No. 58 to stay in effect until hearing date for ruling on Plaintiffs' motion for preliminary injunction.

This schedule is without prejudice to any Party to seek any relief from the Court it deems necessary, and is without prejudice to the Parties to seek to change any dates listed in the schedule, upon agreement of the Parties or pursuant to further order from the Court.

CONSENTED TO:

/s/ Theodore O. Bartholow III ("Thad")
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Counsel for Plaintiffs

This Order has been signed electronically.

The Judge's signature and Court's seal

appear at the top of this Order.

United States Bankruptcy Court
Western District of North Carolina